



Central Valley Regional Water Quality Control Board

15 August 2022

Aaron Head
Pulte Home Company, LLC
Pantages
4511 Willow Road, Suite 8
Pleasanton, CA 94588

CERTIFIED MAIL
7021-0950-0000-9918-5341

NOTICE OF APPLICABILITY
WATER QUALITY ORDER 2003-0003-DWQ
STATEWIDE WASTE DISCHARGE REQUIREMENTS FOR DISCHARGES TO LAND
WITH A LOW THREAT TO WATER QUALITY
PULTE HOME COMPANY, LLC
PANTAGES UNDERGROUND UTILITY CONSTRUCTION AND LAKE EXCAVATION
PROJECT
CONTRA COSTA COUNTY

On 29 June 2022, Pulte Home Company, LLC (Discharger) submitted a Notice of Intent (NOI) to obtain coverage under Water Quality Order 2003-0003-DWQ, *Statewide General Waste Discharge Requirements for Discharges to Land with a Low Threat to Water Quality* (hereafter General Order) for construction dewatering at the above-referenced project. On 03 August 2022 a Discharge Monitoring Plan (DMP) was submitted for the proposed construction dewatering project. The submittals contain all the information required to evaluate applicability of the General Order; therefore, the NOI is considered complete. Based on the information provided in the NOI, the discharge meets the conditions of the General Order. The discharge is hereby covered under State Water Resources Control Board (State Water Board) General Order 2003-0003-DWQ-0236. Please include this number on all correspondence related to this discharge.

A copy of the General Order is enclosed with this notice and is available on the Central Valley Regional Water Quality Control Board (Central Valley Water Board) [Adopted Orders website](https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2003/wqo/wqo2003-0003.pdf) (https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2003/wqo/wqo2003-0003.pdf).

PROJECT LOCATION AND DESCRIPTION

The Pantages Underground Utility Construction and Lake Excavation Project (Project) at 4660 Point of Timber Road in Discovery Bay, Contra Costa County consists of

excavation of two new lakes on site and trenching for installation of underground utility piping for storm and sanitary sewers for a new housing development. The Project location site is shown in Attachment A. The Project is bordered on the east and south by Kellogg Creek, on the west by housing developments and on the north by a small channel off of Indian Slough and the Werner Dredger Cut as shown in Attachment B.

The California Environmental Quality Act (CEQA) review of the Pantages residential development project at this site resulted in notices of determination (NODs) issued by Contra Costa County on 3 December 2013, 17 May 2021, and 13 July 2021. The State Clearinghouse (SCH) number for the project is 2007052130.

The Project location site was previously used as farmland after being reclaimed from the delta in the early twentieth century and currently includes seasonal wetlands and emergent marshlands. The Discharger performed soil studies to assess the site soils for residual organochlorine pesticides, arsenic, and lead which may have been present due to the site's previous agricultural activities. The Discharger's NOI states that their review of the laboratory results indicates that the site has not been adversely impacted by past agricultural use. Contra Costa County is the lead agency for the CEQA review of this and associated projects at the Project site. A Notice of Determination has been issued for this housing development construction, which by inference includes this construction project.

As part of construction activities, temporary dewatering of utility trenches and an excavated area for a new man-made lake will be required. Groundwater will be pumped from utility trenches and new lake excavations and discharged into two percolation basins in the north section of the Project site as shown in Attachment B.

It is anticipated that the dewatering will involve pumping approximately 2 million gallons per day (MGD) initially during the start of the project, for approximately two weeks to draw down the water level sufficiently to perform excavation activities. Following the initial drawdown period, the daily flow rate is expected to be approximately 0.8 MGD. Planned total discharges are approximately 0.84 million gallons per day. Pumping is scheduled to start in late July 2022 and is estimated to be ongoing through July 2023.

Discharge will occur in the north area of the Project site in two percolation basins as shown on Attachment B. The basins have total area of approximately 12 acres and each has 12-foot tall berms. The East Basin, approximately 7 acres, is the Primary Basin, and the West Basin, used for only as needed and known as the Overflow Basin, is approximately 5 acres. Discharges will be contained within the basins; there is no anticipated discharge to surface waters, storm drain systems, etc. The topography in the area is flat.

It is anticipated that groundwater removed from excavations will be relatively free of sediment and would not require any treatment at the surface before discharge.

This NOA authorizes the lake excavation and underground utility excavation dewatering wastewater land application to the Project site percolation basins.

The Water Quality Control Plan for the Sacramento River and San Joaquin River Basins, Fifth Edition, revised May 2018 (hereafter Basin Plan), designates beneficial uses, establishes water quality objectives, contains implementation plans and policies for protecting waters of the basin, and incorporates by reference plans and policies adopted by the State Water Board. Pursuant to §13263(a) of the California Water Code, waste discharge requirements must implement the Basin Plan.

FACILITY-SPECIFIC REQUIREMENTS

The General Order and this Notice of Applicability (NOA) regulate construction dewatering and disposal of water for the Pantages Underground Utility Construction and Lake Excavation Project.

1. Water generated during construction dewatering shall be disposed of as described in the Notice of Intent, the Discharge Monitoring Program, and in accordance with the requirements contained in the General Order.
2. Freeboard in the Site percolation basins shall not be less than 2 feet, as measured by staff gauges installed in the basins.
3. Construction dewatering discharge at a location or in a manner different from that described in the NOI or this NOA is prohibited.
4. All technical reports required herein that involve evaluation, or other work requiring interpretation and proper application of engineering or geologic sciences, shall be prepared by or under the direction of persons registered to practice in California pursuant to California Business and Professions Code, section 6735, 7835, and 7835.1. As required by these laws, completed technical reports must bear the signature(s) and seal(s) of the registered professional(s) in a manner such that all work can be clearly attributed to the professional responsible for the work.
5. For construction dewatering projects, monitoring results shall be submitted on a semi-annual basis in accordance the General Order's Monitoring and Reporting Program (MRP). For the July through December reporting period, the monitoring report is due by February 15. For the January through June reporting period, the monitoring report is due by August 15. Monitoring shall include the approximate volume of discharge at each discharge location and date of each discharge (see the MRP included in the Order).
6. The Discharger shall submit the required annual fee (as specified in the annual billing issued by the State Water Board) until the NOA is officially terminated.
7. Failure to abide by the conditions of the General Order, including its monitoring and reporting requirements, and this letter authorizing applicability could result in enforcement actions, as authorized by provisions of the California Water Code.

DOCUMENT SUBMITTALS

All monitoring reports and other correspondence should be converted to searchable Portable Document Format (PDF) and submitted electronically. Documents that are less than 50 MB should be emailed to: centralvalleysacramento@waterboards.ca.gov.

To ensure that your submittal is routed to the appropriate staff person, the following information should be included in the body of the email or any documentation submitted to the mailing address for this office:

Facility Name: Pantages Underground Utility Const. Project
Program: Non-15 Compliance
Order: WQO 2003-0003-DWQ-0236
CIWQS Place ID: 882256

Documents that are 50 MB or larger should be transferred to a CD, DVD, or flash drive and mailed to:

Central Valley Regional Water Quality Control Board
ECM Mailroom
11020 Sun Center Drive, Suite 200
Rancho Cordova, CA 95670

Now that the NOA has been issued, the Board's Compliance and Enforcement section will take over management of your case. Guy Childs is your new point of contact for any questions about the Order. All monitoring and technical reports should be submitted to him. The enclosed transmittal sheet shall be included with each monitoring report. If you find it necessary to make a change to your permitted operations, Guy will direct you to the appropriate Permitting staff. You may contact Guy at (916) 464-4648 or at guy.childs@waterboards.ca.gov.

for Patrick Pulupa
Executive Officer

enclosures: Water Quality Order No. 2003-0003-DWQ
Monitoring Report Submittal Transmittal Form

cc: Laurel Wardrip, State Water Resources Control Board, Sacramento
Contra Costa County Environmental Health Department, Martinez



Source:
 USGS: The National Map
<https://apps.nationalmap.gov/viewer/>
 accessed 20 July 2022

PROJECT LOCATION MAP
 Pantages
 Lake Excavation and Underground Utility
 Installation Project
 Contra Costa County

Scale (approximate):

 4 miles



Source:
ENGEO Notice of
Intent, 29 June 2022

PROJECT SITE MAP
Pantages
Lake Excavation and Underground
Utility Installation Project
Contra Costa County

Approximate Scale:
1000 feet